

party's request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation "Motion to Seal." The motion must set forth:

- (1) A non-confidential description of the material sought to be sealed;
- (2) A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
- (3) Unless permanent sealing is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and
- (4) Supporting statutes, case law, or other authority.

Local Rule 6.1. It appears that the requirements of Local Rule 6.1(c)(1) through (4) have been adequately met.

By the instant motion, Plaintiff seeks to seal his forthcoming Brief in Opposition to Defendant's Motion for Summary Judgment, including any supporting Affidavits and Exhibits, because he contends that these documents include personnel documents that North Carolina General Statute 160A-168 requires "be kept confidential" and that "were produced pursuant to the Consent Protective Order." (Document No. 28, p. 3).

Having considered the factors provided in Local Rule 6.1(c), the Court will grant the motion to seal. Noting that the time for public response has not run to this motion, the Court will consider any objection to this Order from non-parties as an objection to the motion, requiring no additional burden for any non-party under the Federal Rules of Civil Procedure. See Local Rule 6.1(e).

IT IS, THEREFORE, ORDERED that "Plaintiff's Motion To Seal & Motion To File Without Brief" (Document No. 28) is **GRANTED**. Plaintiff may file his response brief opposing

Defendant's Motion for Summary Judgment (Document No. 23), including any supporting Affidavits and Exhibits, under **SEAL**.

IT IS FURTHER ORDERED that Plaintiff shall file a publicly available redacted version of his sealed brief.

SO ORDERED.

Signed: January 10, 2022



David C. Keesler
United States Magistrate Judge

